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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,522	10/03/2003	Chun-Kai Huang		1347

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EXAMINER

NOVOSAD, JENNIFER ELEANORE

ART UNIT PAPER NUMBER

3634

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/678,522

Applicant(s)

HUANG ET AL.

Examiner

Jennifer E. Novosad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/678,522.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10-03-2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Abstract

Applicant is reminded of the proper language and format for an abstract of the disclosure. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The present invention" in line 1.

Claim Objections

Claims 4, 8, and 11 are objected to because of the following informalities:

In line 2 of claims 4 and 11, it appears that "member" should be changed to --members--.

In line 4 of claim 8, it appears that "plate" (first occurrence) should be changed to --plates--.

In line 9 of claim 8, it appears that --a-- should be inserted before "space interval".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3, 6-8, 13-16, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claims 1 and 8 are rendered indefinite, especially in view of Figure 6, since the structural relationship between the elements, i.e., the main body and through grooves, is unclear.

Claim 3 recites the limitation "each space interval". There is insufficient antecedent basis for this limitation in the claim.

Claims 6, 7, and 13-15 recite the limitation "the stiff shaft". There is insufficient antecedent basis for this limitation in the claims. It is noted that "at least two stiff shafts" have been set forth in claims 1 and 8. Thus, it is unclear whether both shafts are being referenced in claims 6, 7, and 13-15.

Claim 8 recites the limitation "the free side" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 16 recites the limitation "the frame" in line 1. There is insufficient antecedent basis for this limitation in the claim. It is noted that claim 8 sets forth "a pair of frames". Thus, it is unclear whether both frames are being referenced in claim 16.

Claim 16 recites the limitations (a) "the coupling ends", (b) "the stiff rods", and (c) the recesses in line 2. There is insufficient antecedent basis for these limitations in the claim.

Accordingly, the structural relationship between the elements is unclear.

Claim 19 recites the limitations (a) "each space interval" and (b) "the main body". There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Insomuch as the claims are best understood, in view of the rejections under 35 USC § 112, 2nd paragraph, as advanced above), claims 1-5, 8-12, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0010672 (Simpson et al. '672).

Simpson et al. '672 disclose a cassette for accommodating a plurality of substrates (W) whereby the cassette comprises a pair of frames (101 and 102), and a pair of supporting plates (each half of Figure 1) fixed to the frames; each supporting plate comprising a main body (the back portions, where element 160 is located in Figure 2, are collectively considered to define the main body) having a plurality of wing panels (111) extending from the main body and the main body having at least two through grooves (159 and 160) formed perpendicular, i.e., the axis of the grooves runs substantially horizontally and the axis of the wing panels runs substantially vertically) to the wing panels (111); each supporting plate further comprising at least two stiff shafts (158 and 154) being received in the two through grooves (159); each wing panel (111) comprising a plurality of protrusions (150 and 152) extending from an end and the wing panels (111) slope down (i.e., not the top portion of each element 111 slopes downwardly); the wing panels (111) are spaced apart from one another by a space interval and each space interval defines at least a hole through (it is noted the hole is considered to be defined through the main body in the vertical direction, i.e., each main body inherently has a top and a bottom) the main

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body; the main body defines a plurality of holding members (elements 159 not defined as grooves).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Insomuch as the claims are best understood (in view of the rejections under 35 USC § 112, 2nd paragraph, as advanced above), claims 6, 7, and 13-16 (are rejected under 35 U.S.C. 103(a) as being unpatentable over Simpson et al. '672, alone.

Simpson et al. '672 disclose the cassette as advanced above whereby each end of a stiff shaft (that of 154) is inserted a nut (156).

The claims differ from Simpson et al. '672 in requiring: (a) the shafts to be made from metal (claims 6 and 13); and (b) the shafts to define a threaded hole in each end.

With respect to (a), although Simpson et al. '672 do not disclose the shafts being made from metal, it would have been an obvious design choice to one of ordinary skill in the art at the time the invention was made to have fabricated the shafts from metal, for ease in economy and manufacture.

With respect to (b), although Simpson et al. '672 do not disclose the ends of the stiff shaft having a threaded hole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided each end with a threaded hole, thereby reversing the

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parts by having a fastener connected into the threaded hole in the shaft as opposed to the ends connected to a nut (156), thereby increasing ease in economy and manufacture while allowing ease in assembly (see MPEP 2144.04(VI)(A)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer E. Novosad whose telephone number is (703)-305-2872. The examiner can normally be reached on Monday-Thursday, 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (703)-308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jennifer E. Novosad
Primary Examiner
Art Unit 3634

Jennifer E. Novosad/jen
January 14, 2005